

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1-25 currently stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,498,922 to Lazaris-Brunner et al. (hereinafter Lazaris-Brunner). Applicant respectfully traverses the rejections for the reasons to follow.

Independent Claim 1

First, Applicant submits that claim 1 is directed to, and positively recites, “a monitoring, measurement or data collection system,” and that Lazaris-Brunner fails to disclose this recitation of claim 1. As stated in the Specification of the present Application, “Direct digital satellite broadcasting systems were initially designed to broadcast digital radio, pictures or other relatively low-rate data now exist[ing] or under development.” (Publication of the present application, ¶ [0012]). Lazaris-Brunner discloses nothing more than radio or television programming, and therefore, cannot possibly disclose the “monitoring, measurement or data collection system” as claimed. Furthermore, Lazaris-Brunner fails to disclose other recitations of claim 1, as will be shown below.

Claim 1 recites (in part):

1. said respective computation center (3) is connected to a down-link adapter (7) connected to a receiver or group of receivers (6);

Lazaris-Brunner cannot possibly disclose either the claimed down-link adapter, or computation center as recited above. While Lazaris-Brunner may disclose “home receivers,” the reference makes no disclosure of any anything attached to the home receivers. Furthermore, there is absolutely nothing disclosed as being attached to the home receivers that could be considered a down-link adapter or a computation center, as required by claim 1. In fact, Lazaris-Brunner makes no disclosure of anything concerning the home receivers, except that they receive the signal from the Lazaris-Brunner satellite.

Claim 1 further recites (in part):

2. said down-link adapter is adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center (3).

Applicant submits that Lazaris-Brunner fails to disclose the above recitation of claim 1.

Contrary to the above recitation, Lazaris-Brunner teaches “Each of the downlink spots 22, 24, 26, and 28 are referred to herein as ‘regions,’ and within each region there are a plurality of home receivers 16 that are desirous of receiving both global programming C from the central hub station 12 and regional programming generated from within their own local region, or perhaps from neighboring regions.” (Lazaris-Brunner, col. 6, lines 53-59, emphasis). Because the homes in the regions desire global programming, Lazaris-Brunner cannot possibly disclose a down-link adapter “adapted for extracting, from said down-link transmission, said digital channel corresponding only to the said respective computation center (3).” (emphasis added). For *at least* this reason, Applicant submits that claim 1 patentably distinguishes over the prior art.

Applicant further submits that claims 2-13 and 20-25 patentably distinguish over the prior art due *at least* to their dependence on claim 1.

Independent Claim 14

Applicant submits that claim 14 patentably distinguishes over the prior art for reasons analogous to those presented for claim 1. Furthermore, Applicant submits that claims 15-19 patentably distinguish over the prior art due *at least* to their dependence on claim 14.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

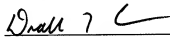
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Respectfully submitted,

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